

ADMITTED IN:
CALIFORNIA
OREGON
TEXAS

SCHARFF, BRADY & VINDING

WELLS FARGO BUILDING
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July 7, 2009

Steve Rosenbaum
Senior Engineering Geologist
RWQCB-Central Valley
11020 Sun Center Dr., #200
Rancho Cordova, CA 95670-6114

Re: Former City of Sacramento Landfill

*DELLAR
PROPERTY*

Dear Mr. Rosenbaum,

As we discussed, I am writing in follow up to memorialize our telephone conversation of Friday, June 19, 2009, regarding various issues that have arisen with the above referenced property.

First, as we discussed, the property has been fenced at the request of the City of Sacramento. The fencing is in an effort to assist with the homeless situation along the American River frontage associated with the former Tent City. Access is through gates that are by combination lock. Should you or your staff require ingress and egress please let me know and we will make arrangements to have the gates opened.

Second, the placement of fill material in compliance with your agency's directives will result in some interference with the KZSA Radio Tower located on the property. We are working in conjunction with the tower engineer, Richard Green, P.E., to develop a work plan for interim operations as well as reinstallation of tower radials upon completion of the grading and fill activities. A site meeting was held with representatives of the City of Sacramento last month to discuss the issue, to minimize the disruption to station operations while completing the cap and grade.

Third, the grading plan specifies removal of all vegetation. We recently learned that elderberry bushes appear to be present on the property and will require mitigation prior to construction. I have brought the same to the attention of the City of Sacramento representatives.

Fourth and finally, the Dellar Trust and City of Sacramento remain in settlement discussions over resolution of the litigation. As I indicated, there are various proposals on the table which the parties are attempting to work through. Those discussions are collateral however, to compliance with the directives of your agency as it pertains to the City Landfill operations on the site.

*Tad
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SER*

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CITY WOODS
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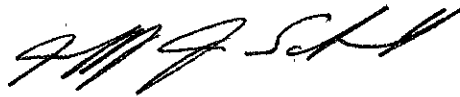
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Should you have any questions please do not hesitate to contact me.

Sincerely,

SCHARFF, BRADY & VINDING

A handwritten signature in black ink, appearing to read 'JJS', with a stylized flourish at the end.

Jeffery J. Scharff

JJS/lmj

Cc: Client
Gerald Hicks, Esq.